

ORDINANCE 14-XX

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP , HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 - LAND USE CONTROLS.

This is a planned unit development ordinance (the "NorthWalk PUD Ordinance") to amend the Westfield-Washington Zoning Ordinance of the ~~city~~ City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of ~~Indian~~ Indiana, Ind. Code Section 36-7-4 *et seq.*, as amended.

WHEREAS, the City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subjects to the Westfield-Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (~~Docket No. _____~~), 1402-PUD-02 filed with the Commission, requesting an amendment to the zoning Ordinance; and,

WHEREAS, the commission ~~did not take~~ took action to forward the said ~~Docket No. _____~~ 14-02-PUD-02 to the Westfield City Council (the "Council") with a ~~favorable~~ _____ recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505; and,

WHEREAS, the Secretary of the Commission certified the action of the Commission to Council on ~~December 4, 2012~~; and,

WHEREAS, the Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE ~~COUNCIL~~ COUNCIL THAT TITLE 16 OF THE WESTFIELD CODE OF ~~ORDINANCE~~ ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. APPLICABILITY OF ORDINANCE.

1.1 The NorthWalk PUD Ordinance (the "Ordinance") applies to the subject real estate more particularly described in Exhibit "A" which is attached hereto and incorporated herein by reference (the "Real Estate").

1.2 The underlying zoning district shall be the SF-3 Residential District (the "SF-3 District").

1.3 Development of the Real Estate shall be governed by the provisions of the ~~zoning~~ Zoning Ordinance unless specially modified by the terms of this Ordinance. All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby ~~reclined~~ as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

1.4 The Real Estate shall be developed as generally depicted on Exhibit ~~"D"~~ "B" & "C" (Concept Plan). Final site development shall be governed by the terms of this ordinance and the Development Plan Review, Subdivision Primary Plat and Secondary Plat requirements of the Zoning Ordinance.

SECTION 2. PERMITTED USES.

2.1 The uses for the Real Estate shall be limited to the following: ~~Single Family Dwellings. Seven (7) duplex dwellings~~ Duplex Dwellings, with-totaling fourteen (14) individual single family units.

2.2 The maximum number of ~~individual Dwellings~~ single family units permitted on the Real Estate shall be ~~16~~ 14.

SECTION 3. DEVELOPMENT STANDARDS.

3.1 Lot Standards: See Exhibit ~~"E"~~ "H"

3.2 Architectural Standards: See Exhibit ~~"F"~~ "D".

3.3 Individual Lot Landscaping:

~~———— A. Lot: A (3) trees, and four (4) (1) shade tree, (1) ornamental (4) minimum of the (3) trees, and four (4) shrubs shall be planted on each lot.~~

~~———— B. Lots abutting MF-1: In addition to the landscaping required in Section 3.3A above a minimum of two (2) evergreen trees, and ten (10) evergreen shrubs shall be planted in the rear yard of each lot abutting the real estate zoned per the MF-1. A conceptual depiction of these plantings is illustrated on Exhibit "K".~~

3.4 On Site Landscaping Buffer Yards:

A. Buffer Yard: 20 and 30 foot buffers along North, South and East property lines as shown on Exhibit "C". Buffers along the West property line is not required. All buffer yards will serve as drainage easements. The first 10 feet of the buffer yard closest to the structure may be used as outdoor living space for property owners. No permanent structures shall be allowed within the buffer yards.

B. Buffer Yard planting requirements of the Zoning Ordinance shall apply to the North, South, and East Buffer Yards. Buffer Yard plantings shall be placed as conceptually shown in Exhibit "I".

C. Buffer Yard plantings, individual lot landscaping, and road frontage trees shall be credited toward the On Site planting requirements of the Zoning Ordinance.

D. The minimum open space (Green Belt Space) shall be approximately 38%.

3.5 Development Amenities:

A. Development Amenities shall be constructed on the Real Estate in substantial compliance with the Development Amenities, as shown in Exhibit "G".

B. Development Amenities shall include: community garden area, a gathering space with fire pit and a simple entry monument.

SECTION 4. LANDSCAPE STANDARDS

~~4.1 On Site Landscaping and Open Space:~~

~~A. Street trees shall be planted along all similar as shown in Exhibit H Buffer Yard: 30 feet on South & East and 20 feet on North side. All Buffer buffer yards will also serve as drainage easements. The first 10 feet of the buffer yard, next closest to the structure, may be used as outdoor living space for property owners, no No permanent structures will shall be allowed within the buffer yards.~~

~~B. Buffer Yard plantings abutting real estate zoned MF shall be replaced by landscaping in the rear of lots as shown in Exhibit H and I~~

~~C. Common area, individual lot landscaping, and street trees shall be credited toward the On Site planting requirements of the Zoning Ordinance.~~

~~D. The minimum open space (Green Belt Space) shall be ten (10) percent.~~

~~4.2 Development Amenities:~~

~~A. Development Amenities shall be constructed on the Real Estate in substantial compliance with the Concept Plan (Exhibit "C").~~

~~B. The following Development Amenities shall be constructed:~~

SECTION 4. US HIGHWAY 31 OVERLAY ZONE

4.1 Section 16.04.70 (US Highway 31 Overlay Zone) of the Zoning Ordinance shall be inapplicable to the use and the development of the Real Estate.

~~SECTION 5.~~ APPROVAL.

~~5.1~~ Upon motion duly made and seconded, this Ordinance was fully passed by members of the council this _ day of _____, 2014. Further, this Ordinance shall be in full force and effect, in accordance with Indiana law, upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana.

**~~ALL OF WHICH HEREBY THE CITY COUNCIL OF WESTFIELD, HAMILTON
COUNTY, INDIANA THIS _____ DAY OF _____, 2013.~~**

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Chuck Lehman

Chuck Lehman

Chuck Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

~~Chuck Lehman~~

~~Chuck Lehman~~

~~Chuck Lehman~~

ATTEST:

Cindy Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by the law: James J. Anderson
Prepared by: James J. Anderson, The Anderson Corporation, 301. South Union Street, Westfield, IN 46074

I herby certify that ~~ORDINANCE No.~~ Ordinance No. 14-xx was delivered to the Mayor of Westfield on the _____ day of _____, 2014 at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I herby APPROVE ~~ORDINANCE No.~~
Ordinance No. 14-xx

I herby VETO ~~ORDINANCE No.~~
Ordinance No. 14-xx

This _____ day of _____, 2014.
2014.

this _____ day of _____,

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

~~I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.~~

Exhibit A

(Legal Description)

A part of the West Half of the Northwest Quarter of Section 31, Township 19 North, Range 4 East, in Hamilton County, Indiana, more particularly described as follows:

Beginning 840.42 feet North 00°00'00" (assumed bearing) of the Southwest corner of the Northwest Quarter of Section 31, Township 19 North, Range 4 East and on the West line thereof; thence North 89°42'30" East 215.18 feet; thence South 43°31'47" East 31.46 Feet; thence South 00°42'30"seconds East18.28 feet; thence South 89°51'00" East and parallel to the North line of Broadview Section One, a subdivision in Hamilton County, Indiana, as recorded in Plat Book 2, page 245, in the Office of the Hamilton County Recorder, 192.93 feet; thence North 00°00'00" seconds East 289.90 feet; thence North 89°51'00" West 430 feet to a point on the West line of said Quarter Section; thence South 00°00'00" West on and along said West lines 250.53 feet to the place of beginning.

Exhibit B

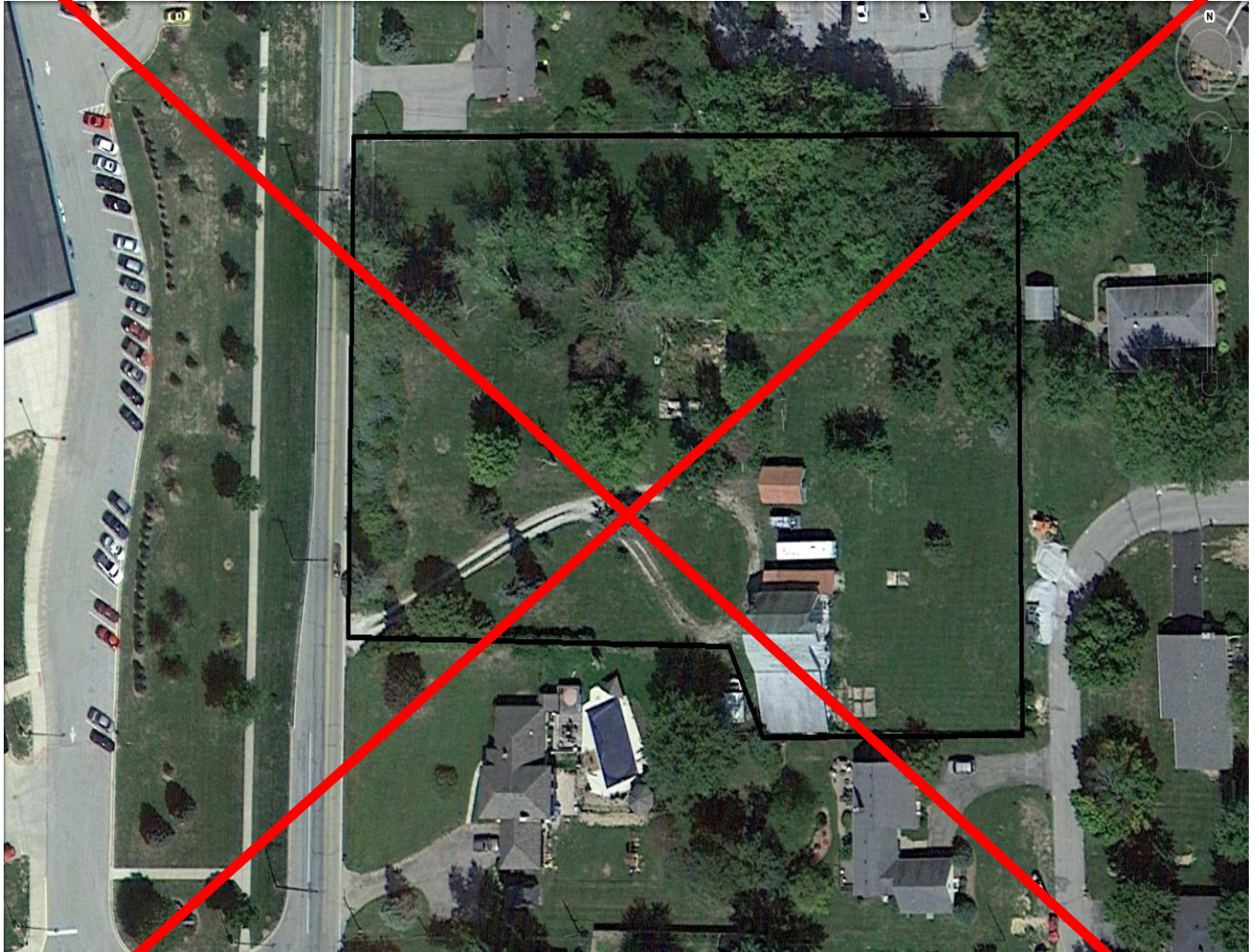
(Area Map)-(Concept Map)





Exhibit C

(Site Map) (Concept Map)



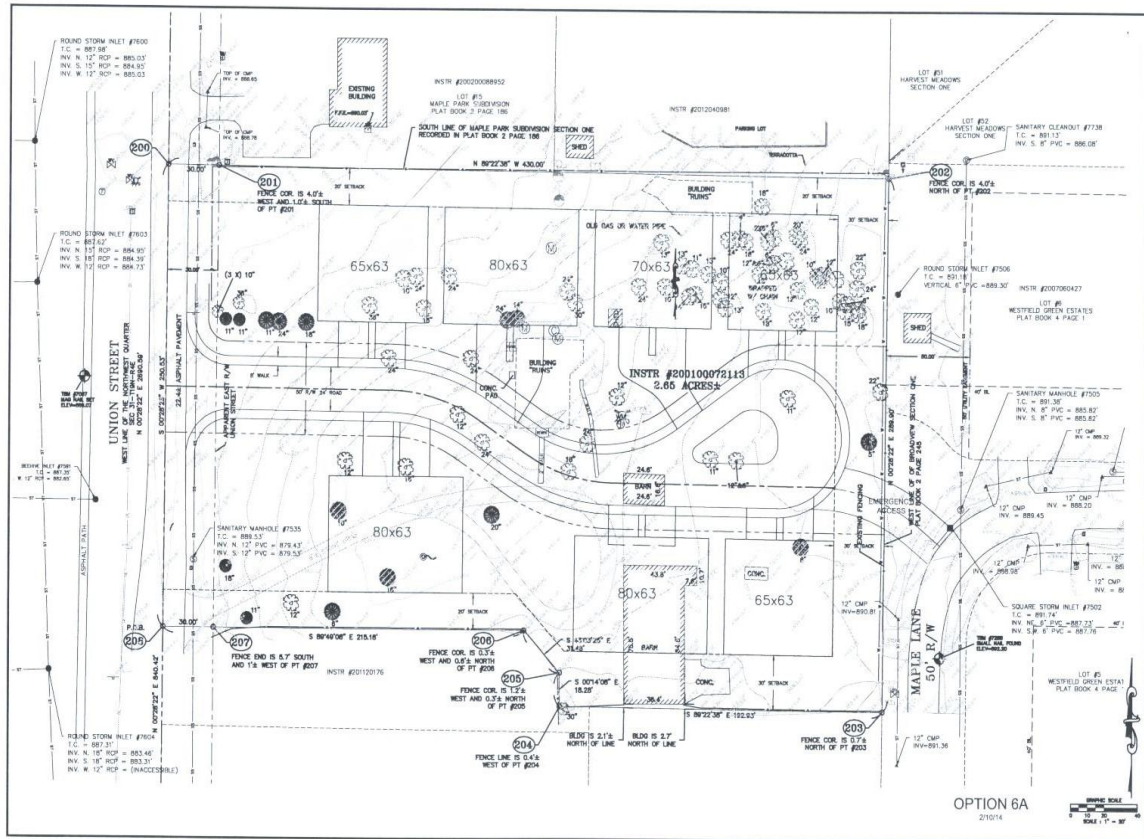


Exhibit D

(Concept Plan)



~~Exhibit E~~ **Exhibit D**

~~(Lot Standards)~~ **(Architectural Standards)**

~~North Walk Lot Standards:~~

~~1. Minimum Lot area-~~

~~A. Single family not less than 3500 square feet~~

~~2. Minimum Lot Frontage on Roads Not less than 40 feet~~

~~3. Minimum Setback Lines-~~

~~A. Front Yard 10 feet~~

~~B. Side Yard 3 feet except corner lots when 20 feet will also apply to side yard on road~~

~~C. Rear Yard 20 feet~~

~~D. Minimum lot width a building line-~~

~~i. Single family 35 feet~~

~~ii. Duplexes on corner 40 feet~~

~~4. Maximum building height Not to exceed 32 feet~~

~~5. Minimum ground level square footage, exclusive of porches, terraces and garages Single family-~~

~~A. Single family 850 square feet~~

~~B. Two story 570 square feet~~

~~C. Tri-level 570 square feet (basement & 1st level)~~

~~D. Story and one-half 570 square feet~~

Northwalk is a small community, disconnected from adjacent existing neighborhoods by design. The completed neighborhood should reflect a unified architectural image with compatible

elevations, materials and colors. Significant diversity will have a negative impact on the effort to create a small neighborhood within itself. All elevations/plans should be designed to be mixed and matched, in order to reduce architectural monotony within the development. These standards are intended to provide the basis for this cohesive design effort.

One and Two Story Homes.

One and two story homes are permitted.

Master Bedroom:

All homes within Northwalk shall have a master bedroom on the main floor.

Minimum Roof Pitch:

Front to back: 5/12
Front gables: 8/12

Roof Overhangs:

Minimum framed front and rear overhang: 12 inches

Note: Where masonry meets any overhang, the overhang shall measure a minimum of eight (8) inches.

Roof Ridgeline:

- A. All homes shall have a minimum of two (2) ridgelines.
- B. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches shall count as a ridgeline.

Corner Breaks:

Each home shall have a minimum of three (3) corner breaks on the front façade and two (2) corner breaks on the rear façade. The exterior corners of a covered porch and a projection with a height of no less than six feet (6') shall count toward this requirement.

Equipment Vents:

All vents shall attach to the rear or side of the home to reduce visibility from the street.

Foundations:

- A. Slabs and basements shall be permitted.
- B. Crawl spaces shall be prohibited.

Windows:

- A. For purposes of this section, a window shall mean and refer to an opening (at least three (3) square feet in area) in a wall or door that is covered with glass.
- B. Window frames shall be vinyl, vinyl clad, and aluminum clad or wood.
- C. A home's front façade shall include a minimum of three (3) windows, the rear façade shall include a minimum of two (2) windows and each side façade shall include at least two (2) windows.
- D. Facades that face Union Street and Maple Lane shall include a minimum of four (4) windows.

Garages:

All homes shall have a minimum two-car attached garage.

Masonry Requirements:

- A. Acceptable masonry materials include the following: brick, limestone, natural stone, cultured stone, stucco and EIFS.
- B. Except as provided in sub-section C below, all homes shall have masonry on at least thirty percent (30%) of the front façade (exclusive of windows, doors and garage doors).
- C. Homes with a historical architectural style that lends itself to the use of less masonry may have less than thirty percent (30%) masonry on the front façade.
- D. At least thirty percent (30%) of a building façade that faces Union Street shall be masonry.
- E. At least thirty percent (30%) of a building façade that faces Maple Lane shall be masonry.

Siding and Roof Shingle Requirements:

- A. No vinyl or aluminum siding shall be permitted. Acceptable siding materials shall be wood, LP siding, Hardiplank or similar composition siding materials.
- B. Roof shingles shall be standard three tab shingles and all duplexes shall have similar color and texture.

Individual Home Landscaping:

- A. Plants: minimum quantity
 - 1. Ten (10) shrubs with minimum 2 gallon.
 - 2. 1 Yard tree with a minimum of 2" caliper.
- B. Lawns:

1. Each home shall utilize either sod or hydroseed in all front yards to the front corners of the home. All side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
2. Corner lot homes which have two elevations substantially parallel to a public street shall have lawns comprised of sod or hydroseed in that portion of the yard located between the public street and each side of the corner lot. All other side yards and rear yards shall be seeded with straw at a minimum and no irrigation is required.
3. Corner lot homes which are set at an angle to the public streets, lacking an elevation substantially parallel to either abutting public street, shall have lawns comprised of sod or hydroseed. All other side yard and rear yards shall be seeded with straw at minimum and no irrigation shall be required.

Miscellaneous:

- A. All driveways shall be concrete.
- B. Five (5) foot wide public sidewalks are required on all lots.
- C. Developer will provide one or two central locations for all mailboxes and will supply the uniform mailboxes.
- D. Dusk to dawn lights shall be required on all garages.
- E. All fireplaces located on the exterior elevation of a home must be constructed of masonry. Interior fireplaces protruding through the roof not on an exterior elevation of a home, are not required to be masonry, but must be decorative in nature using masonry, stucco or EIFS materials.

Façade Variety:

- A. Dwellings on the Real Estate shall be constructed in substantial compliance with Exhibit "F". The Director shall have the authority and may approve modifications from Exhibit "F" as long as the dwellings otherwise comply with all other applicable standards of this Ordinance.
- B. Buildings on adjacent lots (either sharing a common property line or across a street) shall not have the same color of masonry.
- C. Buildings on adjacent lots (either sharing a common property line or across a street) shall not have the same color of siding.

Exhibit F

(Architectural Standards)

The following architectural standards shall be required and applicable to all residences constructed upon the Real Estate:

- ~~1. Brick, stone, stucco, wood, or composite siding (hardie board) material are permitted. Wood; composite board; aluminum, vinyl clad, fiberglass, and vinyl windows and/ or soffits are permitted. The use of wood and aluminum fascia and guttering are also permitted.~~
- ~~2. Roofs shall be standard or architectural shingles (at developers option)~~
- ~~3. Porches are required on all front elevations. Porches should be designed and sized to be appropriate and usable.~~
- ~~4. Windows shall appear in all four (4) elevations of houses.~~
- ~~5. Developer will install one central mailbox cluster.~~
- ~~6. Chimneys occurring on the exterior of the house shall be constructed of material described in paragraph one (1).~~
- ~~7. Driveways may be constructed of porous material. Concrete, stone or brick pavers shall be permitted.~~
- ~~8. Design elements and detailing shall be continued completely around the structure. Such design elements shall conclude, but are not limited to, window placements, trim detail and exterior wall materials. Long, massive, unbroken exterior building walls shall be avoided.~~
- ~~9. Crawl space foundations and/ or garage foundations may be poured wall or concrete block construction. slabs are a permitted floor system.~~
- ~~10. Equipment vents are to be located to be mainly visible from the street frontage and shall be color coded to match the trim or roofing materials.~~

~~11. Exterior colors will be vibrant and complimentary with the trim. Color schemes of three (3) to four (4) colors per house are desirable.~~

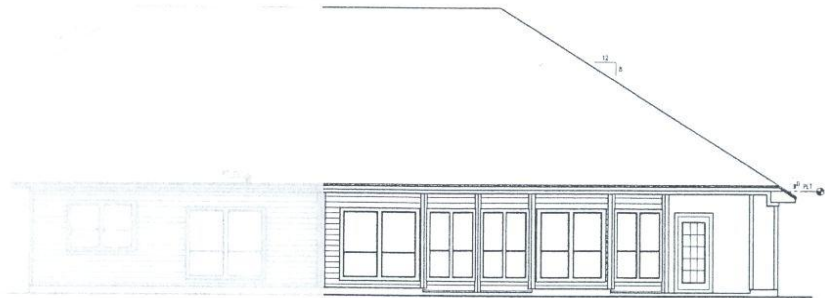
~~**Exhibit G Exhibit F.1**
(Architectural Examples)~~



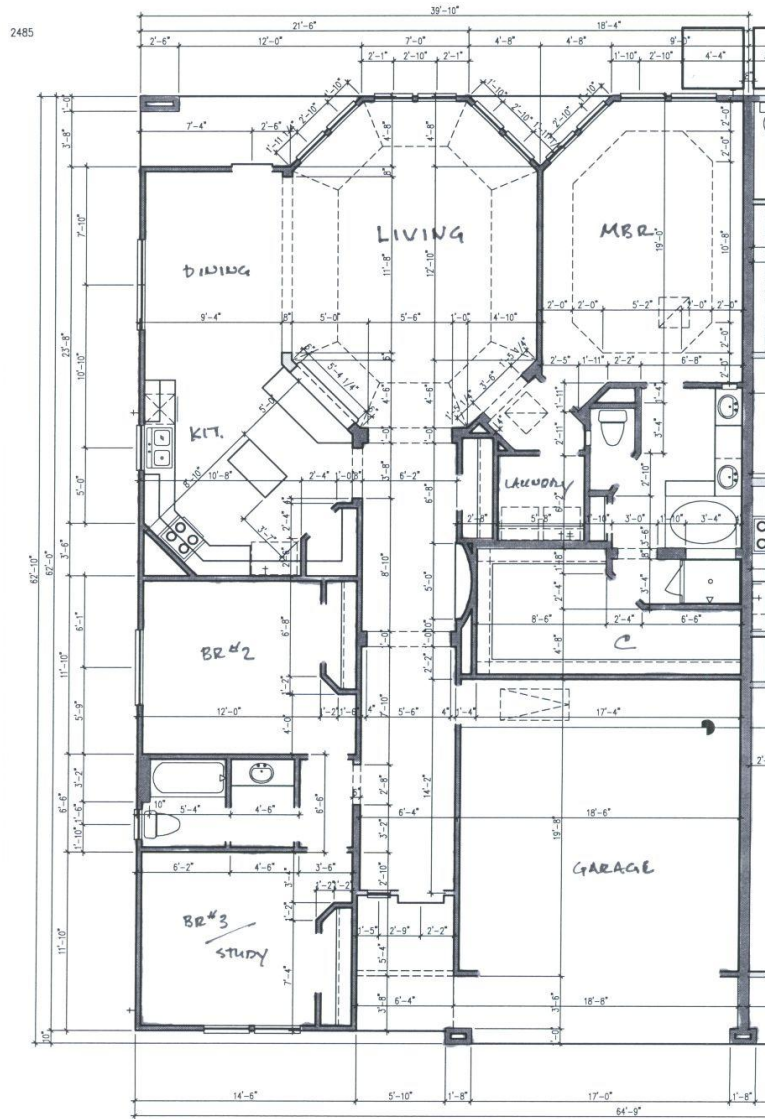


Exhibit F.1

Front Elevation



Floor Plan 1



1805 square feet - home

365 square feet - garage

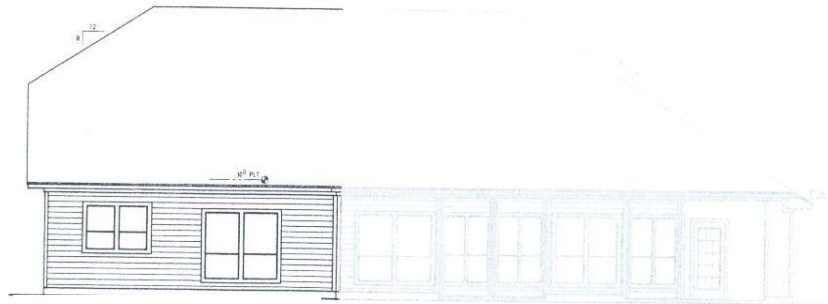
Exhibit F.2



Front Elevation



Side Elevation



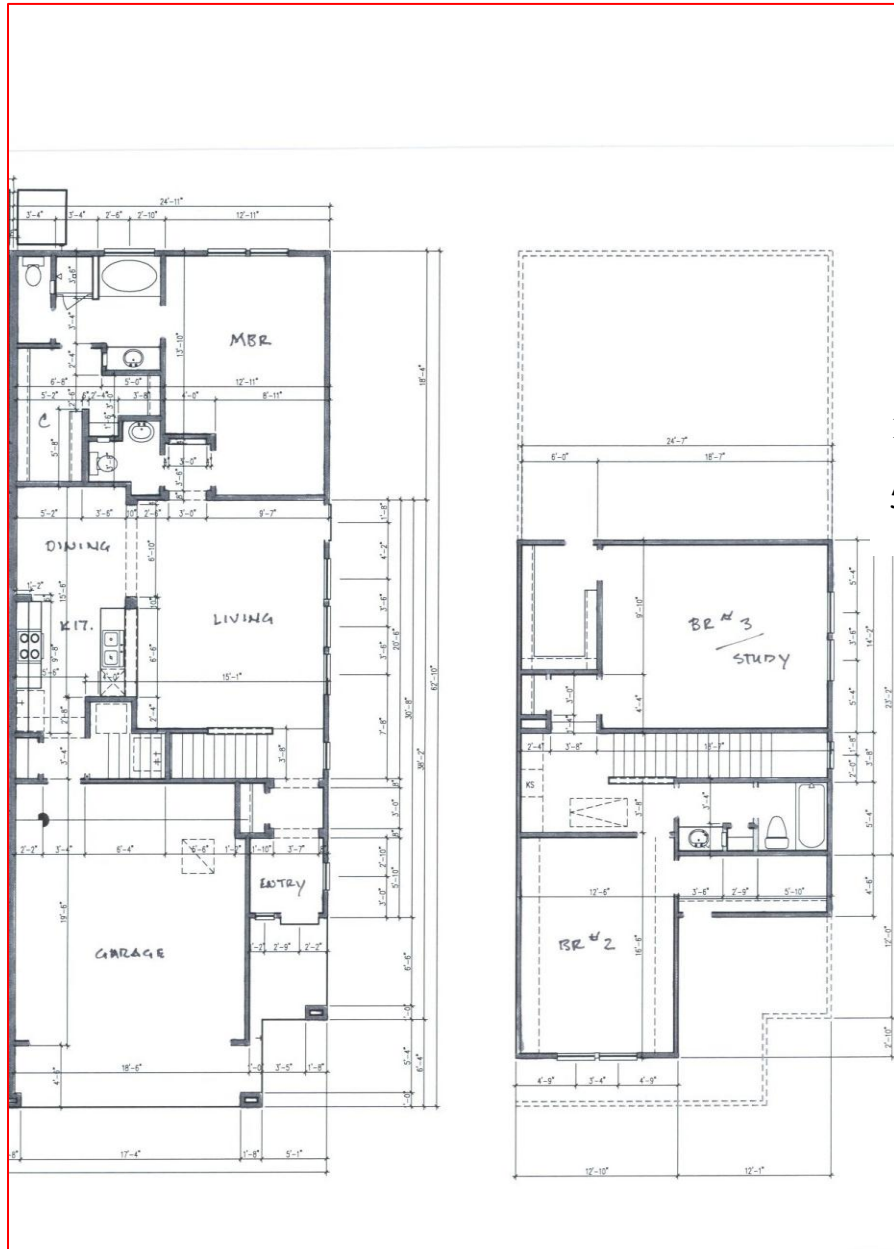
Rear Elevation

Plan 2

1895 sf.

One and one half story

Floor Plan 2



1895 square feet - home

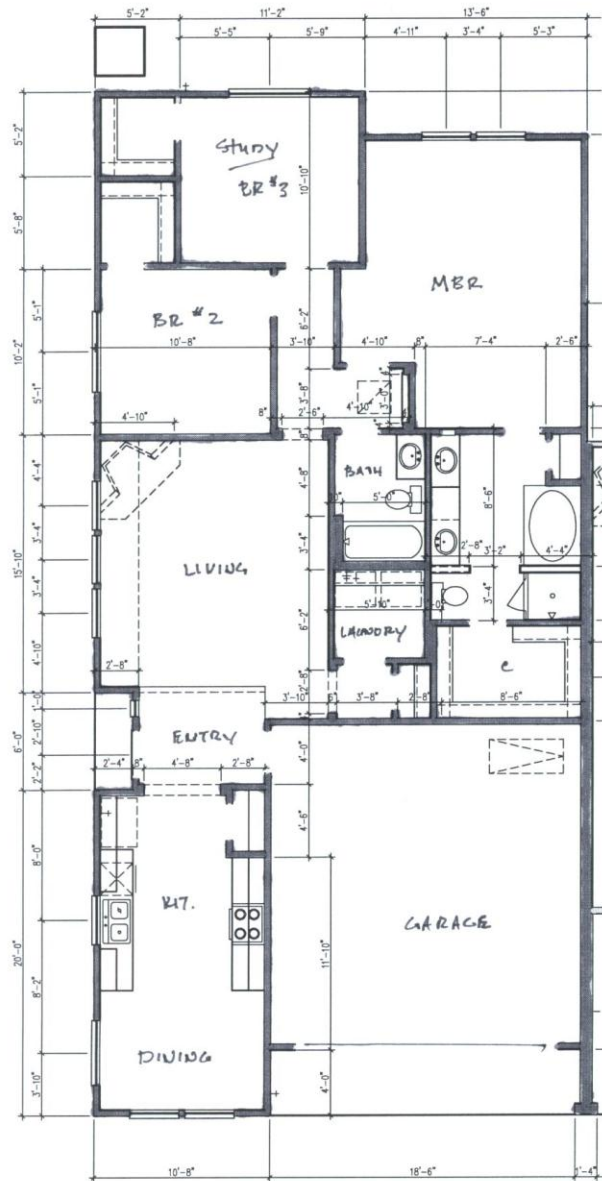
565 square feet - garage

Exhibit F.3



One story

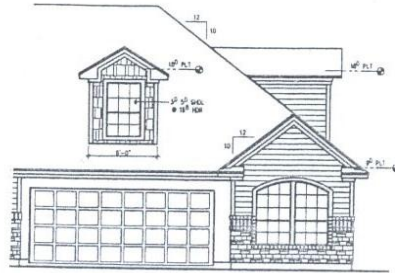
Floor Plan 3



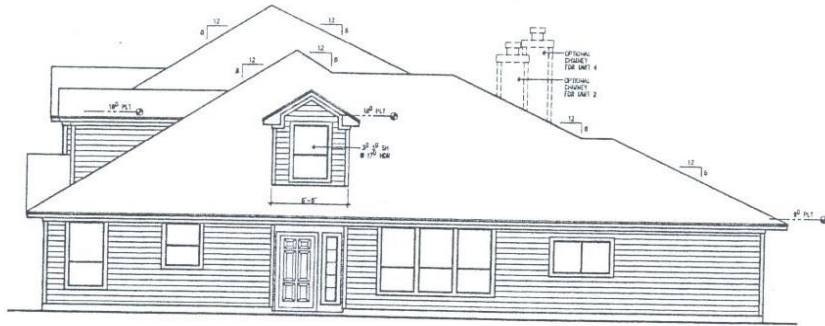
1375 square feet - home

360 square feet - garage

Exhibit F.4



Front Elevation



Side Elevation



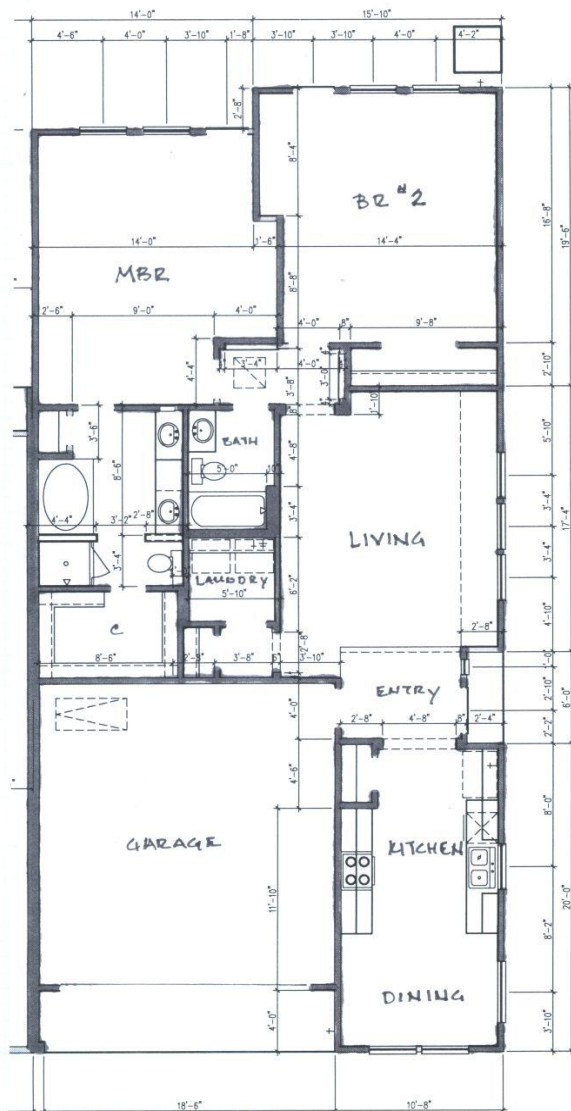
Rear Elevation

Plan 4

1375 sf.

One story

Floor Plan 4



1375 square feet - home

380 square feet - garage

Exhibit H Exhibit G
(Concept Landscape Plan) (Development Amenities)



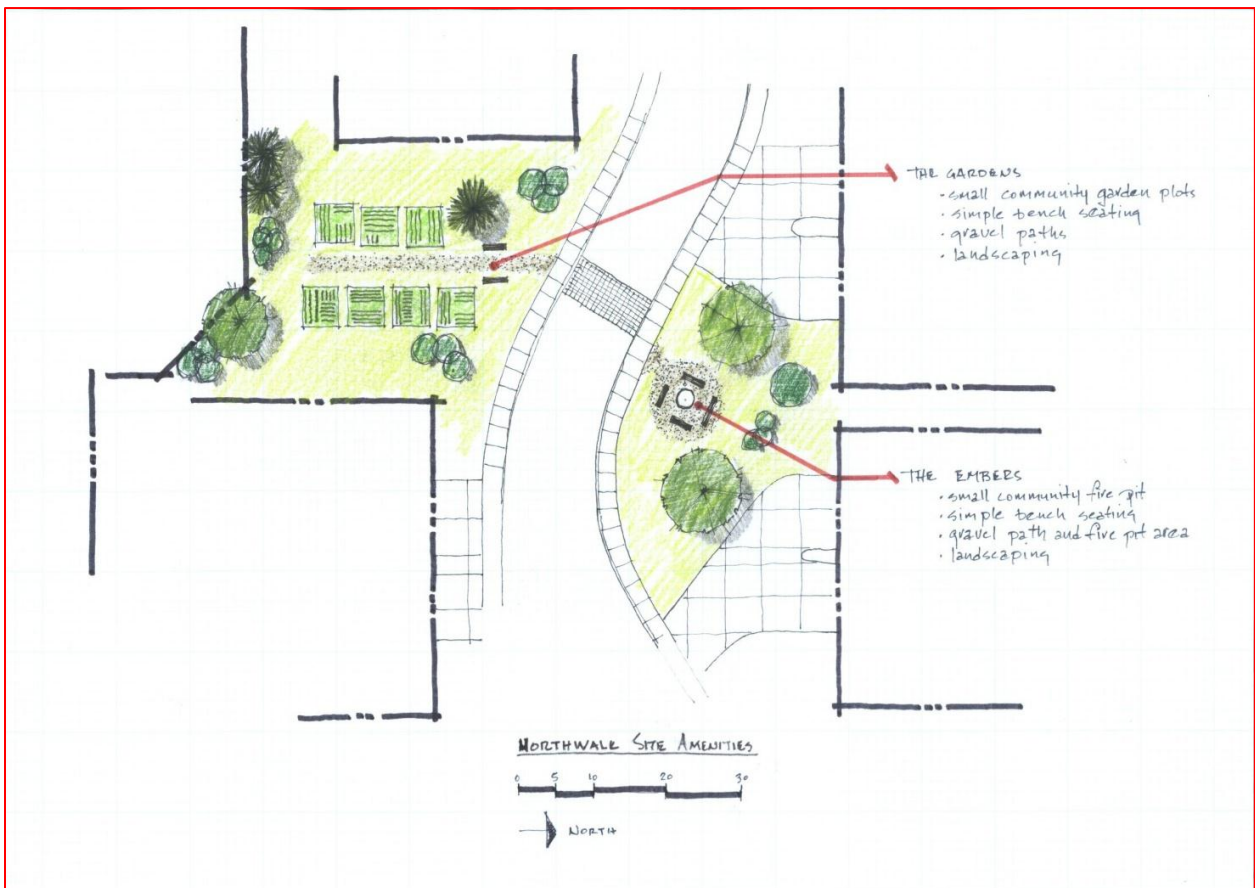
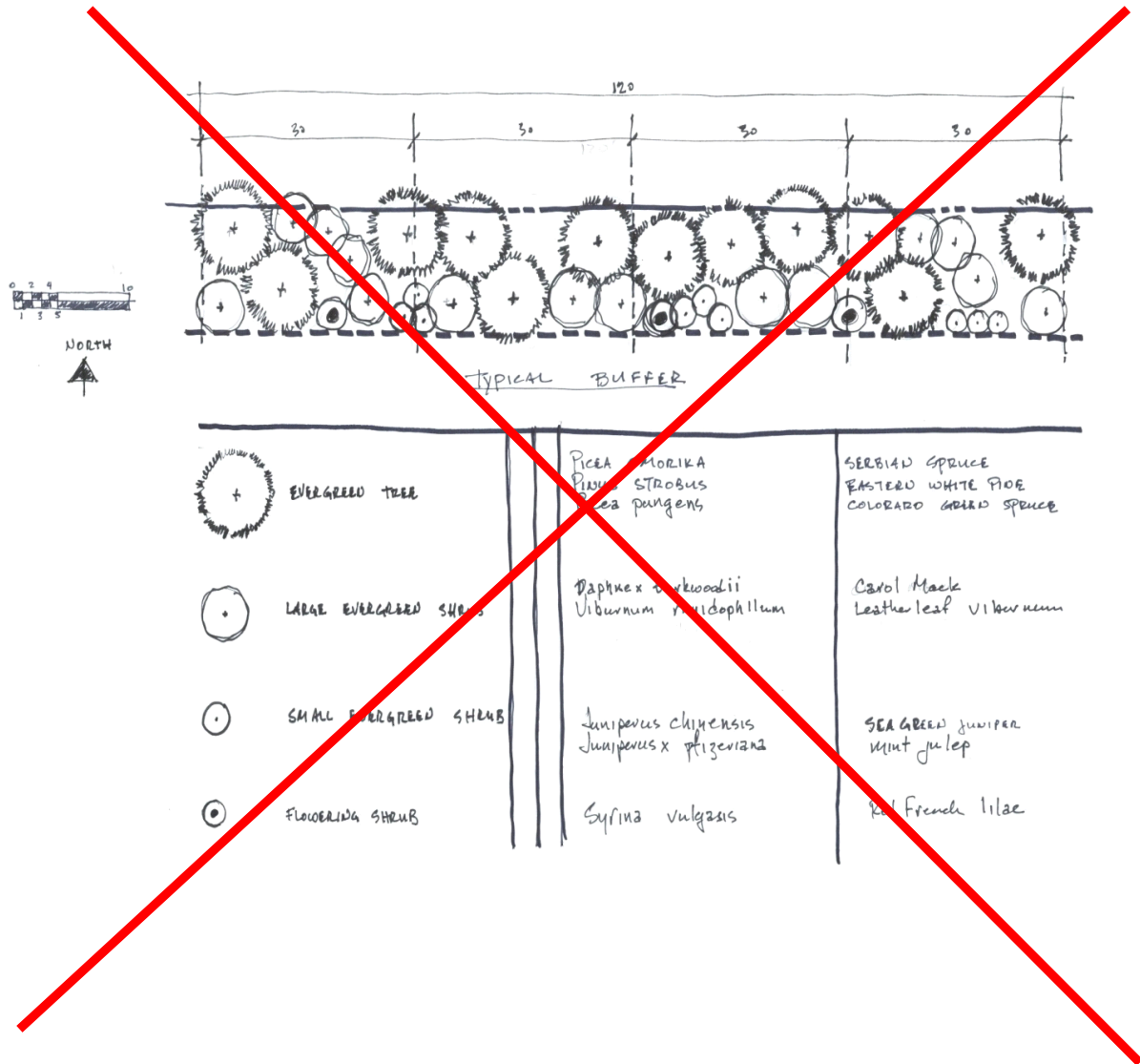


Exhibit I Exhibit H

(Buffer Yard) (Duplex Lot Standards)



1. Minimum Lot area-

i. Duplex lots (2 individual units) not less than 3,900 square feet

ii. Individual unit lots not less than 1,700 square feet

2. Minimum Lot Frontage on Roads - Not less than 65 feet per duplex lot (2 units)

3. Minimum Setback Lines –

A. Union Street – 70 feet

B. Front Yard -18 feet, as measured from the closest plane of the unit (including the garage) to edge of sidewalk.

C. Side Yard - 5 feet

D. Rear Yard - no set back required

E. Minimum lot width at building line – 50 feet

4. Minimum ground level square footage, exclusive of garages, porches, terraces.

A. One story - 1,325 square feet

B. Two story - 1,000 square feet

Exhibit I

(Landscape Concept for Buffer Yard)

